

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

NO. CR06-26-RSL

10 Plaintiff,

11 v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 GUTAMA JOTE DINKA,

13 Defendant.
14

15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on August 22, 2012. The United States was represented by
17 Assistant United States Attorney Andrew Friedman, and the defendant by Ronald Ness.

18 The defendant had been charged and convicted of Conspiracy to Distribute Cocaine
19 Base, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846. On or about March 30,
20 2007, defendant was sentenced by the Honorable Robert S. Lasnik, to a term of 70 months in
21 custody, to be followed by 5 years of supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, participation in substance abuse and
25 mental health program, financial disclosure, search and gang association prohibition.
26

1 In a Petition for Warrant or Summons, dated July 12, 2012, U.S. Probation Officer
2 Brian K. Facklam asserted the following violations by defendant of the conditions of his
3 supervised release:

- 4 1. Committing the criminal offense of assault on or about December 4, 2011,
5 in violation of the general condition of supervision that he not commit
6 another federal, state, or local crime.
- 7 2. Committing the criminal offense of disorderly conduct on or about
8 December 4, 2011, in violation of the general condition of supervision that
9 he not commit another federal, state, or local crime.

10 On August 7, 2012, defendant made his initial appearance. The defendant was advised
11 the allegations and advised of his rights. On August 22, 2012, this matter came before the
12 Court for an evidentiary hearing. Defendant admitted to violations 1 and 2.

13 I therefore recommend that the Court find the defendant to have violated the terms and
14 conditions of his supervised release as to violations 1 and 2, and that the Court conduct a
15 hearing limited to disposition. A disposition hearing on this violation has been set before the
16 Honorable Robert S. Lasnik on August 30, 2012, at 9:00 a.m.

17 Pending a final determination by the Court, the defendant has been released, subject to
18 supervision.

19 DATED this 22nd day of August, 2012.

20 

21 JAMES P. DONOHUE
22 United States Magistrate Judge

23 cc: District Judge: Honorable Robert S. Lasnik
24 AUSA: Andrew Friedman
25 Defendant's attorney: Ronald Ness
26 Probation officer: Brian K. Facklam